

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

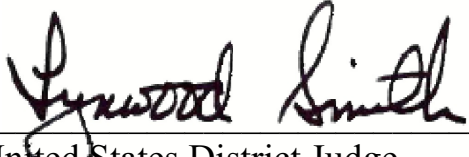
JOSEPH BENNEFIELD,)
)
 Plaintiff,)
)
 vs.) **Case No. 7:12-cv-02604-CLS-HGD**
)
 SGT. JINKINS,)
)
 Defendant.)

MEMORANDUM OPINION

The magistrate judge filed a report and recommendation on April 19, 2013, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. (Doc. 11). No objections were filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief may be granted. A Final Judgment will be entered.

DONE this 31st day of May, 2013.


United States District Judge